

City Council Introduction: **Monday**, January 12, 2004  
Public Hearing: **Monday**, January 26, at **5:30 p.m.**

Bill No. 04-11

## **FACTSHEET**

**TITLE:** **STREET VACATION NO. 03012**, requested by the Nebraska Association of Seventh Day Adventists, B&J Partnership and the City of Lincoln Urban Development Department, to vacate the east-west alley in Block 1, Tresters Addition, from the east line of N. 26<sup>th</sup> Street to the west line of N. 27<sup>th</sup> Street, pursuant to the Broom Factory Redevelopment Agreement.

**STAFF RECOMMENDATION:** A finding of conformance with the Comprehensive Plan.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 10/29/03  
Administrative Action: 10/29/03

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (6-0: Krieser, Taylor, Duvall, Carlson, Larson and Steward voting 'yes'; Marvin and Bills-Strand absent).

### **FINDINGS OF FACT:**

1. The staff "Analysis" as set forth on p.2-3 concludes that the vacation of this alley conforms with the 2025 Comprehensive Plan, the North 27<sup>th</sup> Street and Environs Redevelopment Plan and the Broom Factory Redevelopment Agreement.
2. The minutes of the public hearing before the Planning Commission are found on p.5. There was no testimony in opposition.
3. On October 29, 2003, the Planning Commission agreed with the staff recommendation and voted 6-0 to find the proposed alley vacation to be in conformance with the Comprehensive Plan.
4. The City Clerk has determined that the provisions of Chapter 14.20 of the Lincoln Municipal Code have been satisfied. There are no funds to be paid by the petitioners as this involves a land trade as part of the Broom Factory Redevelopment Agreement.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** January 5, 2004

**REVIEWED BY:** \_\_\_\_\_

**DATE:** January 5, 2004

**REFERENCE NUMBER:** FS\CC\2004\SAV.03012

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for October 29, 2003 PLANNING COMMISSION MEETING

**P.A.S.:** Street and Alley Vacation #03012

**PROPOSAL:** Vacate the east-west alley in Block 1, Tresters Addition, from the east line of North 26<sup>th</sup> Street to the west line of North 27<sup>th</sup> Street, pursuant to the Broom Factory Redevelopment Agreement.

**LOCATION:** Approximately 27<sup>th</sup> and "Y" Streets

**LAND AREA:** 3,294 square feet, more or less.

**CONCLUSION:** The vacation of this alley conforms to the 2025 Comprehensive Plan, the North 27<sup>th</sup> Street and Environs Redevelopment Plan, and the Broom Factory Redevelopment Agreement..

<b>RECOMMENDATION:</b>	<b>Conforms to the Comprehensive Plan</b>
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** The east-west alley in Block 1, Tresters Addition, located in the NE 1/4 of Section 24 T10N R6E, Lancaster County, Nebraska..

### **SURROUNDING LAND USE AND ZONING:**

North:	Church offices	I-1 Industrial
	Vacant	B-3 Commercial
South:	Vacant	B-3 Commercial
East:	Restaurant	B-3 Commercial
	Vacant	I-1 Industrial
West:	Contractor Offices, Storage	I-1 Industrial

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

The 2025 Land Use Plan shows the area of this vacation as either Commercial or Industrial. (F 25)  
The North 27<sup>th</sup> Street Corridor and Environs Redevelopment Plan shows this area as Commercial (36), and designates this block for future office and retail uses (28, 29).

### **TRAFFIC ANALYSIS:**

The Comprehensive Plan shows "Y" Street as a Local Street and North 27<sup>th</sup> Street as a Minor Arterial, both now and in the future. (E49, F103)

### **ANALYSIS:**

1. This is a request to vacate the east-west alley in Block 1, Tresters Addition, from the east line of North 26<sup>th</sup> Street to the west line of North 27<sup>th</sup> Street.

2. The vacation of this alley is identified in the North 27<sup>th</sup> Street and Environs Redevelopment Plan, and the Broom Factory Redevelopment Agreement between the City of Lincoln and B & J Partnership.
3. Applicants intend to purchase this property if vacated, and use it for possible building and parking lot expansion, pursuant to the Broom Factory Redevelopment Agreement.
4. The vacation of this alley will not create lots without frontage or access to a public street, nor will it create a block length that exceeds 1000'.
5. Lincoln Electric System, Alltel, and Time Warner Cable all have existing facilities in this alley and have requested a permanent easement be retained for maintenance and possible future construction.

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:**

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 A permanent easement is retained over the entire area for existing and future public facilities.

Prepared by:

Greg Czaplewski  
Planner

**Date:** October 10, 2003

**Applicants:** Nebraska Conference Association of Seventh Day Adventists  
c/o Good Neighbor Community Center  
2617 "Y" Street  
Lincoln, NE 68503

B & J Partnership  
340 Victory Lane  
Lincoln, NE 68528

City of Lincoln  
Urban Development Department  
Haymarket Square  
808 "P" Street, Suite 400  
Lincoln, NE 68508

**Owners:** Same as Applicants

**Contacts:** *Nebraska Conference Association of Seventh Day Adventists*  
Bartling & Hinkle, P.C.  
Stephen Bartling  
5801 South 58<sup>th</sup> Street, Suite B  
Lincoln, NE 68516  
421.1600

*B & J Partnership*  
Seacrest & Kalkowski, P.C.  
1111 Lincoln Mall, Suite 350  
Lincoln, NE 68508  
435.6000

*City of Lincoln*  
Urban Development Department  
Wynn Hjermstad  
Haymarket Square  
808 "P" Street, Suite 400  
Lincoln, NE 68508  
477.4173

## STREET & ALLEY VACATION NO. 03012

### **PUBLIC HEARING BEFORE PLANNING COMMISSION:**

October 29, 2003

Members present: Krieser, Taylor, Duvall, Carlson, Larson and Steward; Bills-Strand and Marvin absent.

Staff recommendation: A finding of conformance with the Comprehensive Plan.

Ex Parte Communications: None.

This application was removed from the Consent Agenda and had separate public hearing.

Greg Czaplewski of Planning staff submitted revised Condition #1.2: "A permanent easement is retained over the entire area for existing and future public facilities."

There was no testimony in opposition.

### **ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

October 29, 2003

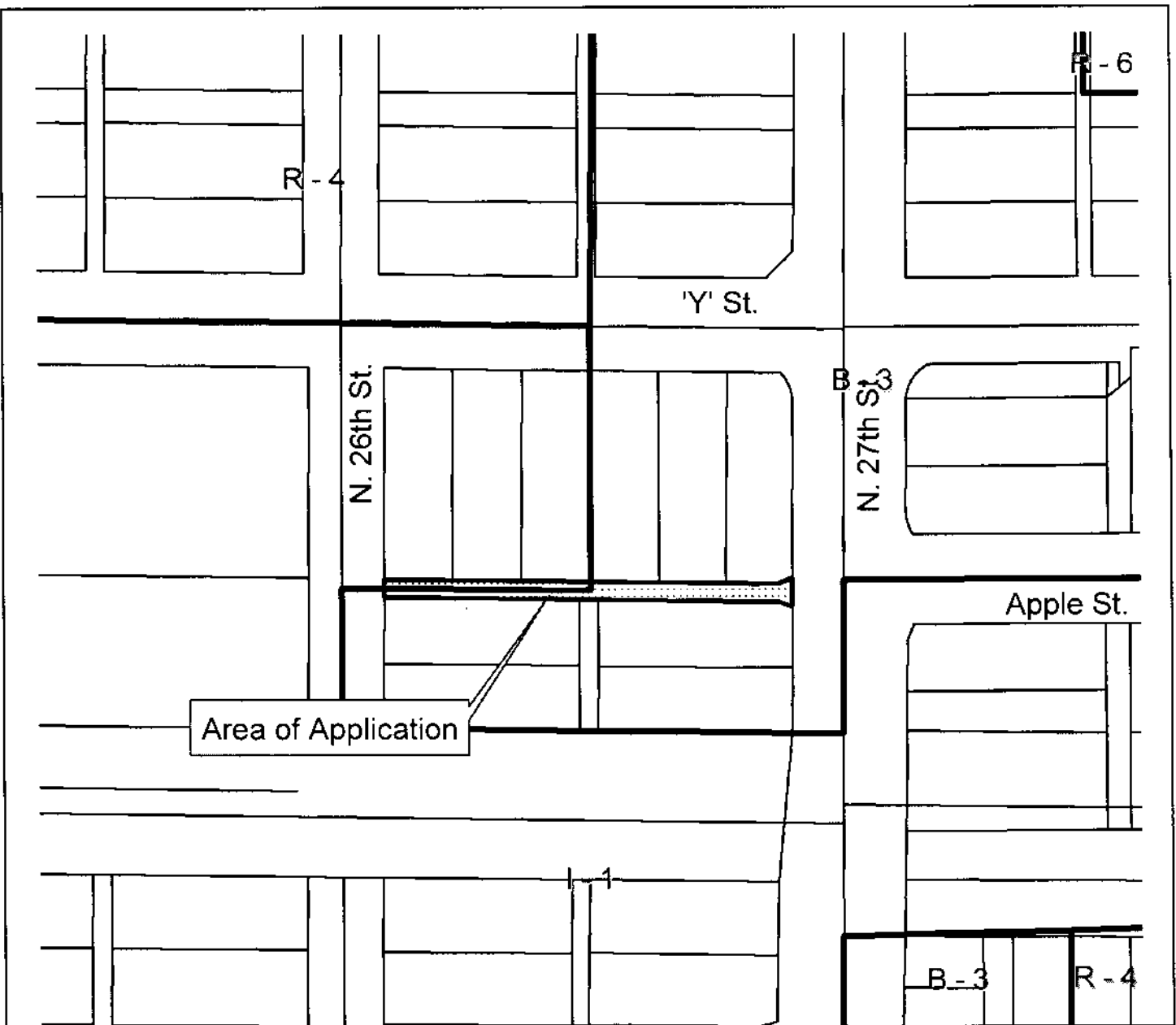
Taylor moved a finding of conformance, seconded by Carlson and carried 6-0: Krieser, Taylor, Duvall, Carlson, Larson and Steward voting 'yes'; Marvin and Bills-Strand absent.



**Street & Alley Vacation #03012**  
**E/W alley south of 'Y' St.**  
**between N. 26th and N. 27th St.**



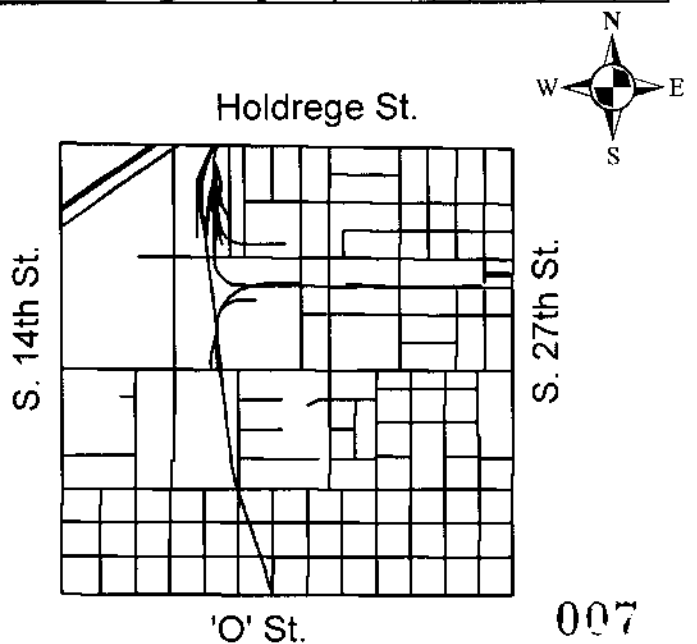
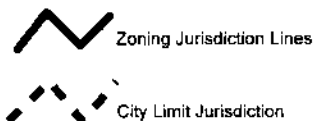
Lincoln City - Lancaster County Planning Dept.  
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**Street & Alley Vacation #03012**  
**E/W alley south of 'Y' St**  
**between N. 26th and N. 27th St.**  
**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
 Sec. 24 T10N R6E



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